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11-07-00

PTO/SB/05 (8/05)

Approved for filing through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 03000- P0003C
First Inventor Wesley W. Whitmyer, Jr.
Title OnSite Backup For Inernet-Based Data
Express Mail Label No. EL574204305US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 11]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claims(s)
 - Abstract of the Disclosure
4. ☒ Drawings(s) (35 USC 113) Total Sheets 3
5. ☒ Oath or Declaration Total Pages 2
 - a. ☒ New executed (original or copy)
 - b. ☐ Copy from prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☐ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Other.....

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part of prior application No.: 09/610,709

Prior application information: Examiner Group/Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when the accession has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

☒ Customer Number of Bar Code Label

24126

(Insert Customer No. or Attach bar code label here)

☒ Correspondence address below

Name	Wesley W. Whitmyer, Jr.				
Address	St. Onge Steward Johnston & Reens LLC 986 Bedford Street				
City	Stamford	State	CT	Zip Code	06905-5619
Country	United States	Telephone	203 324-6155	Fax	203 327-1096

Name (Print/Type)	Todd M. Oberdick	Registration No. (Attorney/Agent)	44,268
Signature	Todd M. Oberdick	Date	11/6/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Times will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Office, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OF COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

11/06/00



PTO/SB/17 (09-00)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

Complete if Known

Application No.	Pending
Filing Date	November <u>6</u> , 2000
First Named Inventor	Wesley W. Whitmyer, Jr.
Examiner Name	
Group Art Unit	
Attorney Docket Number	03000- P0003C WWW/TMO

TOTAL AMOUNT OF PAYMENT (\$)355.00

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payment to:
- Deposit Account Number 19-4516
- Deposit Account Name St.Onge Steward Johnston & Reens LLC
- ☒ Charge Any Additional Fee Required 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:
- ☒ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	780	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)					(\$) <u>355.00</u>

2. EXTRA CLAIMS FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from Below	Fee Paid
9	3		0	X	
			0	X	
				X	
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claims, if not paid	
108	80	208	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

** or number previously paid, if greater; For Reissues, see above

SUBTOTAL (2) (\$)-0-

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing for or oath	
127	50	227	25	Surcharge - late provisional filing or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840	Requesting publication of SIR after Examiner Action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
126	240	126	240	Submission of Informational Disclosure Stmt	
581	40	581	40	Recording each patent assignment per Property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37CFR § 1.129(a))	
149	710	249	355	For each additional invention to be Examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
* Reduced by Basic Filing Fee paid					
SUBTOTAL (3)					(\$) <u>-0-</u>

SUBMITTED BY St.Onge Steward Johnston & Reens LLC

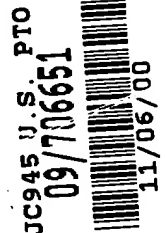
Complete (if applicable)

Name (Print Type)	<u>Todd M. Oberdick</u>	Registration No. (Attorney/Agent)	<u>44,268</u>	Tel#	<u>203 324-6155</u>
Signature	<u>Todd M. Oberdick</u>	Date	<u>11/6/00</u>		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	Wesley W. Whitmyer, Jr.
Serial No. 09/610,709	Filing Date: July 7, 2000
Title of Application	Onsite Backup For Internet-Based Data Processing
Group Art Unit 2771	Examiner



Assistant Commissioner for Patents
Washington, DC 20231

***Payment of Processing and Retention Fee
Pursuant to 37 CFR 1.53(f)***

COPY

Dear Sir:

1. This is a payment of the processing and retention fee pursuant to 37 CFR 1.53(f) for the above-referenced matter.
2. Calculation of fee. Pursuant to 37 CFR 1.21(l) the processing and retention fee is \$130.00.
3. Fee Payment. Attached is a check in the sum of \$130.00. This is also a petition and a request to charge to Account No. 19-4516 for any additional fee as may be required or credit for any excess fee paid.

Respectfully submitted,

COPY

November 6, 2000

Todd M. Oberdick
Wesley W. Whitmyer, Jr., Registration No. 33,558
Todd M. Oberdick, Registration No. 44,268
Attorney for Applicant
ST. ONGE STEWARD JOHNSTON & REENS LLC
986 Bedford Street; Stamford, CT 06905-5619
203 324-6155

Certificate of Mailing: I hereby certify that this correspondence is today being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents; Washington, DC 20231.

Nov mb r 6, 2000

Beatrice R. Emerson
Beatrice R. Emerson